(1) (4)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

W.P. No. 215 /2005

PETITIONER : M/s Anant Rice Industries, Arang, Through its: Managing Partner Shravan Kumar Agrawal aged about 51 years, S/o - Shri Loknath Agrawal, R/o – Arang, District – Raipur, Chhattisgarh.

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through: The Secretary, Government of Chhattisgarh Water Resources Department.
2. Collector, Raipur, Chhattisgarh
3. Executive Engineer, Mahanadi Reservoir Projects, Phase II Division, Water Resources Department, Raipur, Chhattisgarh.
4. Sub-Divisional Officer, Water Resources Department, Irrigation Project, Sub- Division Arang At Village Pandhi Arang, District – Raipur, Chhattisgarh

P.R. No. 22961/05
Presented by Shri Sanjay K.M. Agrawal
dated 9/3/05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

COPY

XI-HC-22

(170)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.2115/ सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	5-8-2005	

Mr. Ranbir Singh Marhas, counsel for the petitioner.

Mr. Sandeep Dubey, Govt. Advocate for the State/respondents.

Heard both the counsel.

The main grievance of the petitioner in this writ petition is that adjacent to the petitioner rice mill a canal is going to be constructed for which digging is in process. The apprehension of the petitioner is that there is every likelihood of seepage of water from the canal and that may damage the petitioner mill and ultimately, it may result in closing of the mill.

Return has been filed on behalf of the State/respondents and in para 2 it has been mentioned that the bed level of canal is 4 meters below the ground level and the highest water level will be 1.6 meters, therefore, the question of seepage of water does not arise, the authority has constructed the canal fully in conformity with technical guidelines of the Department, and the petitioner's apprehension is without any basis.

In view of the above reply of the State, the petition stands disposed of and in case, any damage is caused to the petitioner mill on account of seepage, then the petitioner will at liberty to take recourse of law for appropriate relief.

In view of this order, I.A.Nos.5708/2005 and 5902/2005 also stand disposed of.

Sd/-
L.C. Bhadoo
Judge

Soma

(पीछे देखिये)